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By: 

Tara N. Damhoff

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Robert Main

Application No.: 09/778,666

Filed: February 6, 2001

For: SYSTEM AND METHOD FOR
MANAGING ADVERTISING
INVENTORY TO MAXIMIZE
ADVERTISING REVENUE

Customer No.: 20350

Confirmation No.: 4361

Examiner: Champagne, Donald

Art Unit: 3622

APPELLANT BRIEF UNDER 37 CFR
§41.37

Mail Stop Appeal Brief - Patents

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Sir:

Appellant offers this Brief further to the Notice of Appeal mailed on June 16, 2005.

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1. Real Parties in Interest

The real party in interest is Yahoo! Inc., the assignee of this Application.

2. Related Appeals and Interferences

No other appeals or interferences are known that will directly affect, are directly affected by, or have a bearing on the Board decision in this appeal.

3. Status of Claims

Claims 1-4, 7-9, 11, 13-15, 18-24 and 26-29 are currently pending in the application. All the claims stand rejected pursuant to a Final Office Action mailed December 16, 2004 (hereinafter “the Final Office Action”). The rejections of all the claims are believed to be improper and are the subject of this appeal.

A copy of the claims as rejected is attached as an Appendix.

4. Status of Amendments

A proposed Examiner’s Amendment was filed on February 16, 2005. The Examiner informed the undersigned by voicemail on March 5, 2005 that the Examiner had accepted the amendments to the claims and had signed a Notice of Allowance based on the amended claims. The Notice of Allowance, however, is undergoing a “second pair of eyes” review at the PTO, so it is not clear whether the proposed Examiner’s Amendment has been officially entered.

5. Summary of Claimed Subject Matter

In the following summary, Appellant has provided exemplary references to sections of the specification and drawings supporting the subject matter defined in the claims as required by 37 C.F.R. § 41.37. The specification and drawings also include

additional support for other exemplary embodiments encompassed by the claimed subject matter. Thus, these references are intended to be merely illustrative in nature.

The claimed subject matter is directed to methods and systems for managing advertising inventory. In the embodiment of claim 1, a computer system for managing allocation levels of advertising inventory comprises a computer and a set of instructions executable by the computer. The set of instructions includes instructions executable by the computer to identify a plurality of categories of ad impressions (Application, Figure 3, p. 5, l. 34 – p. 6, l. 11). The set of instructions also includes instructions executable by the computer to implement a plurality of restrictions designed to limit said allocation levels of said advertising inventory (Application, Figure 4, p. 6, ll. 12-25, p. 7, l. 29 – p. 8, ll. 16).

One or more of the plurality of restrictions are adjusted in response to demand for one or more categories of ad impressions (Application, p. 7, l. 32 – p. 8, l. 6). The demand for the one or more categories of ad impressions is calculated using a method, which comprises generating with a computer a matrix having a plurality of rows and a plurality of columns: a row and a column define a cell, each row defines a specific day of delivery, and each column represents a number of days before delivery; the value of a cell represents a number of ad impressions to be delivered (Application, Figure 7, p. 11, ll. 7-13). The method further comprises populating cells of the matrix with data (Application, p. 11, ll. 18-22) and plotting a graph having a y-axis representing day of delivery and an x-axis representing days before delivery; data points on the graph correspond to cells of the matrix (Application, Fig. 8, p. 11, ll. 30-34). The method also includes identifying a data line from the graph, based on a selected date, and extrapolating a requested data point using the data line (Application, Figure 10, p.12, ll. 1-22).

Claim 7 is directed to a computer system for managing allocation levels of advertising inventory comprising an ad request interface 18, which is capable of issuing a request for a desired category of ad impressions within the advertising inventory, and an

inventory management system 20, which is designed to provide a response the request issued by the ad request interface (Application, Figure 2, p. 5, ll. 3-11). The response includes availability information on the desired category of ad impressions (Application, p. 5, ll. 10-11).

The availability information is obtained based on selectively restricting the quantity of the desired category of ad impressions available for sale, based on respective demand for the desired category of ad impressions and other categories of ad impressions (Application, p. 3, l. 24—p. 4, l. 2, p. 5, ll. 21-32, p. 8, ll. 26-32). The demand for the desired category is calculated using a method which comprises generating with a computer a matrix having a plurality of rows and a plurality of columns: a row and a column define a cell, each row defines a specific day of delivery, and each column represents a number of days before delivery; the value of a cell represents a number of ad impressions to be delivered (Application, Figure 7, p. 11, ll. 7-13). The method further comprises populating cells of the matrix with data (Application, p. 11, ll. 18-22) and plotting a graph having a y-axis representing day of delivery and an x-axis representing days before delivery; data points on the graph correspond to cells of the matrix (Application, Fig. 8, p. 11, ll. 30-34). The method also includes identifying a data line from the graph, based on a selected date, and extrapolating a requested data point using the data line (Application, Figure 10, p.12, ll. 1-22).

Claim 14 is directed to a computer system for managing advertising inventory to optimize ad revenue. The computer system comprises an ad request interface 18, which is capable of issuing a request for a desired category of ad impressions within the advertising inventory, and an inventory management system 20, which is configured to interact with the ad request interface be forwarding a response to the ad request interface pursuant to the request (Application, Figure 2, p. 5, ll. 3-11). The computer system further comprises an availability allocation module designed to provide the response to the inventory management system; the response is prepared based on one or more selective restrictions and is designed to limit the quantity of the desired category

of ad impressions which are available for sale (Application, p. 3, l. 24—p. 4, l. 2, p. 5, ll. 21-32, p. 8, ll. 26-32).

The inventory management system calculates an amount of available inventory for the desired category of ad impressions (Application, p. 5, ll. 12-20) and the availability allocation module adjusts the amount of available inventory, based on the selective restrictions, and prepares the response using the adjusted amount of available inventory (Application, p. 3, l. 24—p. 4, l. 2, p. 5, ll. 21-32, p. 8, ll. 26-32).

The amount of available inventory is adjusted based on demand for other categories of ad impressions, which is calculated using a method comprising generating with a computer a matrix having a plurality of rows and a plurality of columns: a row and a column define a cell, each row defines a specific day of delivery, and each column represents a number of days before delivery; the value of a cell represents a number of ad impressions to be delivered (Application, Figure 7, p. 11, ll. 7-13). The method further comprises populating cells of the matrix with data (Application, p. 11, ll. 18-22) and plotting a graph having a y-axis representing day of delivery and an x-axis representing days before delivery; data points on the graph correspond to cells of the matrix (Application, Fig. 8, p. 11, ll. 30-34). The method also includes identifying a data line from the graph, based on a selected date, and extrapolating a requested data point using the data line (Application, Figure 10, p.12, ll. 1-22).

Claim 19 is directed to a method for managing allocation levels of advertising inventory. The method comprises classifying the advertising inventory into a plurality of categories of ad impressions (Application, Figure 3, p. 5, l. 34 – p. 6, l. 11). The method further comprises imposing at least one restriction on at least one of the plurality of categories of ad impressions to limit the amount of the at least one category of ad impressions which is available for sale (Application, p. 3, l. 24—p. 4, l. 2, p. 5, ll. 21-32, p. 8, ll. 26-32).

The at least one restriction is adjusted in response to demand for the at least one category of ad impressions, which is calculated using a method comprising

generating with a computer a matrix having a plurality of rows and a plurality of columns: a row and a column define a cell, each row defines a specific day of delivery, and each column represents a number of days before delivery; the value of a cell represents a number of ad impressions to be delivered (Application, Figure 7, p. 11, ll. 7-13). The method further comprises populating cells of the matrix with data (Application, p. 11, ll. 18-22) and plotting a graph having a y-axis representing day of delivery and an x-axis representing days before delivery; data points on the graph correspond to cells of the matrix (Application, Fig. 8, p. 11, ll. 30-34). The method also includes identifying a data line from the graph, based on a selected date, and extrapolating a requested data point using the data line (Application, Figure 10, p.12, ll. 1-22).

Claim 24 is directed to a method for managing advertising inventory to enhance ad revenue. The method comprises the steps of receiving at a computer an availability request for a desired category of ad impressions within said advertising inventory (Application, p. 5, ll. 5-6), determining a quantity of the desired category of ad impressions which are available for sale (Application, p. 5, ll. 12-20), and adjusting with the computer the quantity, based on one or more restrictions imposed on said desired category of ad impressions (Application, p. 3, ll. 25-29, p. 5, ll. 21-32, p. 8, ll. 26-32). The method further comprises providing a response to the availability request using the adjusted quantity (Application, p. 3, ll. 28-30).

The method also comprises the step of adjusting the one or more restrictions in response to demand for other categories of ad impressions within the advertising inventory, which is calculated using a method comprising generating with a computer a matrix having a plurality of rows and a plurality of columns: a row and a column define a cell, each row defines a specific day of delivery, and each column represents a number of days before delivery; the value of a cell represents a number of ad impressions to be delivered (Application, Figure 7, p. 11, ll. 7-13). The method further comprises populating cells of the matrix with data (Application, p. 11, ll. 18-22) and plotting a graph having a y-axis representing day of delivery and an x-axis representing

days before delivery; data points on the graph correspond to cells of the matrix (Application, Fig. 8, p. 11, ll. 30-34). The method also includes identifying a data line from the graph, based on a selected date and extrapolating a requested data point using the data line (Application, Figure 10, p.12, ll. 1-22).

Claim 29 is directed to a method of extrapolating a demand curve data point. The method comprises generating with a computer a matrix having a plurality of rows and a plurality of columns: a row and a column define a cell, each row defines a specific day of delivery, and each column represents a number of days before delivery; the value of a cell represents a number of ad impressions to be delivered (Application, Figure 7, p. 11, ll. 7-13). The method further comprises populating cells of the matrix with data (Application, p. 11, ll. 18-22) and plotting a graph having a y-axis representing day of delivery and an x-axis representing days before delivery; data points on the graph correspond to cells of the matrix (Application, Fig. 8, p. 11, ll. 30-34). The method also includes identifying a data line from the graph, based on a selected date and extrapolating a requested data point using the data line (Application, Figure 10, p.12, ll. 1-22).

6. Grounds of Rejection Presented for Review

A. Claims 26 and 27 stand rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite. Paragraphs 9-11 of the Final Office Action summarize the Examiner's position on this issue.

B. Claims 1-4, 7-11 and 13-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,338,048 (hereinafter "Miller"). Paragraphs 14-19 of the Final Office action summarize the Examiner's position on this issue.

7. Argument

As an initial matter, Appellant notes that the Examiner has withdrawn the rejections of the claims and has allowed all currently pending claims. The Patent and Trademark Office (“PTO”), however, has required a “second pair of eyes” review of the allowance of these claims. That unofficial, undocumented “second pair of eyes” review, which began on March 5, 2005, remains ongoing and has necessitated this appeal. There is no disagreement between the Examiner and Appellant regarding the patentability of the pending claims. However, because this application is subject to a final rejection, Appellant was forced to file a Notice of Appeal on June 16, 2005 (along with a petition for a three month extension) merely to prevent the Application from becoming abandoned. Now Appellant is further forced to file this Appeal Brief to maintain the Application’s pending status.

Hence, Appellant believes the issues raised by this Appeal Brief would easily be resolved if the PTO would timely conclude its “second pair of eyes” review and approve the Examiner’s Notice of Allowance.

A. Whether claims 26 and 27 are indefinite under § 112, ¶ 2

Claims 26 and 27 stand rejected on the ground that the term “demand curve” is used by those claims to mean “a plot of inventory of ad impressions versus date,” whereas the accepted meaning is “a plot of price versus quantity.” The proposed Examiner’s Amendment amended claims 26 and 27 to replace the term “calculating a demand curve” with “extrapolating a demand curve data point.” Appellant believes these amendments overcome the rejections under § 112, ¶ 2, and the Examiner has allowed the amended claims, indicating his agreement with Appellants’ position on this issue.

A. Whether claims 1-5, 7-11 and 13-25 are anticipated by Miller

As amended by the proposed Examiner’s Amendment, independent claims 1, 7, 14, 19, 24 and 26 each recite the following elements:

- (a) generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;
- (b) populating cells of said matrix with data;
- (c) plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;
- (d) identifying a data line from said graph based on a selected date; and
- (e) extrapolating a requested data point using said data line.

It is Appellant's position that Miller neither teaches nor suggests this limitation, and that the independent claims are allowable over Miller for at least this reason. Further, dependent claims 2-5, 8-11, 13, 15-18, 20-23 and 25 are allowable at least because they depend from allowable base claims.

The Examiner has allowed the amended claims, indicating that the Examiner agrees with Appellant's position on this issue.

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8. Conclusion

Appellant believes that the above discussion is fully responsive to all grounds of rejection set forth in the application. Please deduct the requisite fee of \$500.00 pursuant to 37 C.F.R. §41.20(b)(2) from Deposit Account 20-1430 and any additional fees that may be due in association with the filing of this Brief.

Respectfully submitted,


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APPENDIX

The claims pending in the application (following entry of the proposed Examiner's Amendment) are as follows:

1. (Previously presented) A computer system for managing allocation levels of advertising inventory, comprising:
 - a computer;
 - instructions executable by the computer to identify a plurality of categories of ad impressions; and
 - instructions executable by the computer to implement a plurality of restrictions designed to limit said allocation levels of said advertising inventory;
 - wherein one or more of said plurality of restrictions are applied to one or more of said categories of advertisements so as to limit the availability of said one or more of said categories of ad impressions;
 - wherein said one or more of said plurality of restrictions applied to said one or more of said plurality of categories of ad impressions are adjusted in response to demand for said one or more of said plurality of categories of ad impressions, said demand for one of said plurality of categories of ad impressions being calculated using a method comprising:
 - (a) generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;
 - (b) populating cells of said matrix with data;
 - (c) plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;

(d) identifying a data line from said graph based on a selected date; and

(e) extrapolating a requested data point using said data line.

2. (Previously presented) The system according to claim 1, wherein each one of said plurality of categories of ad impressions is designated a pricing level.

3. (Previously presented) The system according to claim 1, wherein said plurality of restrictions are designed based on one or more demand analyses performed on said plurality of categories of ad impressions.

4. (Previously presented) The system according to claim 1, wherein ad revenue generated by sale of said advertising inventory is optimized by limiting the availability of said one or more of said categories ad impressions.

5. (Canceled)

6. (Canceled)

7. (Previously presented) A computer system for managing allocation levels of advertising inventory, comprising:

an ad request interface capable of issuing a request for a desired category of ad impressions within said advertising inventory; and

an inventory management system designed to provide a response to said request issued by said ad request interface;

wherein said response includes availability information on said desired category of ad impressions;

wherein said availability information is obtained based on selectively restricting, based on respective demand for said desired category of ad impressions and other categories of ad impressions, the quantity of said desired category of ad impressions

which are available for sale, said demand for said desired category of ad impressions being calculated using a method comprising:

- (a) generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;
- (b) populating cells of said matrix with data;
- (c) plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;
- (d) identifying a data line from said graph based on a selected date; and
- (e) extrapolating a requested data point using said data line.

8. (Original) The system according to claim 7, wherein said request includes date and demographic information.

9. (Previously presented) The system according to claim 7, wherein ad revenue generated from sale of said advertising inventory is optimized by selectively restricting the quantity of said desired category of ad impressions which are available for sale.

10. (Canceled)

11. (Previously Presented) The system according to claim 7, wherein said selective restriction is adjusted in response to respective subsequent demand for said desired category of ad impressions and other categories of ad impressions.

12. (Canceled)

13. (Previously presented) The system according to claim 7, wherein said advertising inventory has a plurality of categories of ad impressions; wherein said plurality of categories of ad impressions have their respective pricing levels; wherein said desired category of ad impressions has the lowest pricing level amongst said respective pricing levels.

14. (Previously Presented) A computer system for managing advertising inventory to optimize ad revenue, comprising:

- an ad request interface capable of issuing a request for a desired category of ad impressions within said advertising inventory;
- an inventory management system configured to interact with said ad request interface by forwarding a response to said ad request interface pursuant to said request; and
- an availability allocation module designed to provide said response to said inventory management system;
- wherein said response is prepared based on one or more selective restrictions designed to limit the quantity of said desired category of ad impressions which are available for sale;
- wherein said inventory management system calculates an amount of available inventory for said desired category of ad impressions;
- wherein said availability allocation module adjusts said amount of available inventory based on said one or more selective restrictions and prepares said response using said adjusted amount of available inventory; and
- wherein said amount of available inventory is adjusted based on demand for other categories of ad impressions, said demand for one of said other categories of ad impressions being calculated using a method comprising:
 - (a) generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each

of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;

- (b) populating cells of said matrix with data;
plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;
- (c) identifying a data line from said graph based on a selected date; and
- (d) extrapolating a requested data point using said data line.

15. (Original) The system according to claim 14, wherein said request includes date and demographic information.

16. (Canceled)

17. (Canceled)

18. (Previously Presented) The system according to claim 14, wherein said desired category of ad impressions has a pricing level;
wherein said other categories of ad impressions have their respective pricing levels; and

wherein said pricing level of said desired category of ad impressions is lowest amongst said respective pricing levels of said other categories of ad impressions.

19. (Previously Presented) A method for managing allocation levels of advertising inventory, comprising steps of:
classifying said advertising inventory into a plurality of categories of ad impressions; and

imposing with a computer at least one restriction on at least one of said plurality of categories of ad impressions to limit the amount of said at least one of said plurality of categories of ad impressions which is available for sale;

wherein said at least one restriction imposed on said at least one of said plurality of categories of ad impressions is adjusted in response to demand for said at least one of said plurality of categories of ad impressions, said demand for said at least one of said plurality of categories of ad impressions being calculated using a method comprising:

- (a) generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;
- (b) populating cells of said matrix with data;
- (c) plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;
- (d) identifying a data line from said graph based on a selected date; and
- (e) extrapolating a requested data point using said data line.

20. (Previously presented) The method according to claim 19, further comprising a step of:

adjusting said at least one restriction in response to demand for others of said plurality of categories of ad impressions.

21. (Previously presented) The method according to claim 19, wherein said at least one restriction is imposed based on respective demand for said plurality of categories of ad impressions.

22. (Previously presented) The method according to claim 19, wherein said plurality of categories of ad impressions have their respective pricing levels; and wherein said at least one of said plurality of categories of ad impressions has a pricing level amongst the lowest of said respective pricing levels of said plurality of categories of ad impressions.

23. (Original) The method according to claim 19, wherein ad revenue generated by sale of said advertising inventory is optimized by said imposition of said at least one restriction.

24. (Previously Presented) A method for managing advertising inventory to enhance ad revenue, comprising steps of:

receiving at a computer an availability request for a desired category of ad impressions within said advertising inventory;

determining a quantity of said desired category of ad impressions which are available for sale;

adjusting with the computer said quantity based on one or more restrictions imposed on said desired category of ad impressions;

providing a response to said availability request using said adjusted quantity;

adjusting said one or more restrictions in response to demand for other categories of ad impressions within said advertising inventory, said demand for one of said other categories of ad impressions being calculated using a method comprising:

(a) generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;

(b) populating cells of said matrix with data;

- (c) plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;
- (d) identifying a data line from said graph based on a selected date; and
- (e) extrapolating a requested data point using said data line.

25. (Canceled)

26. (Previously Presented) A method for extrapolating a demand curve data point, comprising steps of:

generating with a computer a matrix having a plurality of rows and a plurality of columns, wherein a row and a column define a cell, each of said plurality of rows represents a specific day of delivery, each of said plurality of columns represents number of days before delivery, and value of a cell represents number of ad impressions to be delivered;

populating cells of said matrix with data;

the computer plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said cells of said matrix;

identifying a data line from said graph based on a selected date; and

extrapolating a requested data point using said data line.

27. (Previously Presented) A method for extrapolating a demand curve data point, comprising steps of:

tabulating with a computer a plurality of cells for a delivery date, said plurality of cells representing respectively number of ad impressions to be delivered on consecutive days starting from said delivery date;

repeating said tabulating step for all delivery dates;

the computer plotting a graph having a y-axis and a x-axis, said y-axis representing day of delivery and said x-axis representing days before delivery, wherein data points on said graph correspond to said plurality of cells;

identifying a data line from said graph based on a selected date; and extrapolating a requested data point using said data line.

28. (Previously presented) The method according to claim 26, further comprising:

plotting a demand curve based on the requested data point.

29. (Previously presented) The method according to claim 27, further comprising:

plotting a demand curve based on the requested data point.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/778,666
Filing Date	February 6, 2001
First Named Inventor	Main, Robert Allen
Art Unit	3622
Examiner Name	Donald L. Champagne
Total Number of Pages in This Submission	017887-005800US

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Chad E. King		
Date	August 16, 2005	Reg. No.	44,187

CERTIFICATE OF TRANSMISSION/MAILING

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Tara N. Damhoff

Date August 16, 2005



08-18-05

PTO/SB/17 (12-04)

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Effective on 12/09/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

PATENT & TRADEMARK OFFICE FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 500)

<i>Complete if Known</i>	
Application Number	09/778,666
Filing Date	February 6, 2001
First Named Inventor	Main, Robert Allen
Examiner Name	Donald L. Champagne
Art Unit	3622
Attorney Docket No.	017887-005800US

METHOD OF PAYMENT (check all that apply)

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Small Entity</u>	
				<u>Fee (\$)</u>	<u>Fee (\$)</u>
-20 or HP =	x	=			

HP = highest number of total claims paid for, if greater than 20

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
				<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Filing a brief in support of an appeal under 37 CFR 41.20(b)(2) 500

SUBMITTED BY

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Name (Print/Type)	Chad E. King		Date August 16, 2005